

PEACE OFFICER STANDARDS AND TRAINING COMMISSION

COMMITTEE MEETING

DECEMBER 9, 2016

AGENDA

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- VI. WAIVERS OF BASIC TRAINING**
- VII. SPECIALIZED SUBSTITUTIONS FOR IN-SERVICE TRAINING**
- VIII. APPLICATIONS FOR TRAINING OFFICER**
- IX. APPLICATIONS FOR CERTIFIED INSTRUCTOR**
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AGENDA FOR POST COMMISSION COMMITTEE MEETING

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December 9, 2016

ADOPTION OF AGENDA

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

ADMINISTRATION MATTERS

ROLL CALL

**COMMISSIONER RITA BAKER
COMMISSIONER GLENN CHRISMAN
COMMISSIONER CARL JENKINS
COMMISSIONER MIKE HANNON
COMMISSIONER JEFF LEWIS
COMMISSIONER JEFF LONG
COMMISSIONER KIM WALLACE
COMMISSIONER BOBBY WILLIAMSON
COMMISSIONER RIC WILSON
SENATOR MIKE BELL
REPRESENTATIVE BUD HULSEY
GENERAL BRENT CHERRY**

DISCLAIMER – COMMISSIONER WALLACE

APPROVAL OF MINUTES FOR OCTOBER 21, 2016 POST COMMISSION MEETINGS:

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

DECERTIFICATION HEARING HELD THIS MONTH

APPEARING BEFORE THE COMMISSION/

WAIVERS FOR PRE-EMPLOYMENT REQUIREMENTS – 1110-02-.03 + 1110-9-.04

Henry County Sheriff Office – Request Robert Lee Kenworthy receive a Pre-employment Waiver for a DUI arrest in Aspen, Colorado in 1990. Mr. Kenworthy has paid all fines and probation. Henry County SO is asking for the waiver so Mr. Kenworthy can work as a reserve officer. **COMMISSIONERS HAVE COPIES**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

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Mason Police Department – (A) Request waiver for Jason Michael Tyndall, for the charge of Disorderly Conduct he received on June 19, 2001 from Wisconsin. Total fees paid of \$335.00 on January 28, 2002. Mr. Tyndall began employment with the department on September 26, 2016. **COMMISSIONERS HAVE COPIES**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

(B) Request waiver for Mr. Tyndall to be granted to attend the upcoming POST Transition school to become POST certified in the State of Tennessee. He completed the Gateway Law Enforcement Academy in Kenosha, Wisconsin with 520 hours on December 18, 2008. Mr. Tyndall previous law enforcement employment included...

A waiver of the 6 month rule is also requested by the department.

COMMISSIONERS HAVE COPIES

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Oak Ridge Police Department – Request waiver for Christopher Lee McCurry, for the charge of Driving While Impaired he received on July 12, 2009. Mr. McCurry began employment with the department on November 7, 2016 and request waiver so that upon completion of Walter State Community College basic academy, he may be issued POST Certification.

COMMISSIONERS HAVE COPIES

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Rutherford County Sheriff Office – Request Freddy Dewayne Brady (hired October 10, 2016) receive a waiver for General (Under Honorable Conditions) discharge from the Air Force in 1987 for misconduct-minor disciplinary infractions. Mr. Brady's violations stemmed from outstanding debts, no vehicle insurance, and pool cue and knife in view in vehicle. The department requests the waiver for Mr. Brady to attend the next available basic class. A six month waiver may also be needed if approved. **COMMISSIONERS HAVE COPIES**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

TN Dept. of Homeland Security – Request Corey Ray Poteet receive a Waiver for a Class C misdemeanor (hunting from a motor vehicle) in 2014. Mr. Poteet paid his fine and court costs. The Department requests the waiver so Mr. Poteet can become a state trooper.

COMMISSIONERS HAVE COPIES

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

TN Dept. of Homeland Security – Request Ronald Louis Netterville receive a Waiver for a misdemeanor for hunt baiting in 2003. Mr. Netterville paid his fine and court costs. The Department requests the waiver so Mr. Netterville can become a state trooper.

COMMISSIONERS HAVE COPIES

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

AGENDA FOR POST COMMISSION COMMITTEE MEETING

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December 9, 2016

Tipton County Sheriff Office – Request Heather Nicole Edington (hired October 7, 2016) receive a Waiver for a conviction of Liquor Consumption by Persons Under 21 in 2007. Ms. Edington paid her fine but no records exist. The department requests the waiver for Ms. Edington to attend the next available basic class. If approved a six month waiver will also be needed. **COMMISSIONERS HAVE COPIES**

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

WAIVER OF BASIC TRAINING – 1110-02-.03 + 1110-9-.02

The following requests for Waiver/Substitution of Basic Training have been reviewed and appear to meet POST requirements:

Ardmore Police Department – Request John David Garner to be granted a waiver of Tennessee Basic Law Enforcement Academy to attend the Alabama Law Enforcement Academy in January, 2017. (The Alabama Basic curriculum covers 27 hours of emergency vehicle operations, short 13 hours required through Tennessee.) Officer Garner began employment with the department on October 13, 2016 from a Reserve position and has a slot pending in the TLETA basic beginning January 8, 2017. Ardmore is divided by the State line in Tennessee and Alabama, requiring certification in both States. The department is requesting approval for Officer Garner to be allowed to attend the Fall 2017 POST Transition School once he has completed the Alabama Academy to become POST certified in Tennessee. A 6 month waiver will be needed as well. **COMMISSIONERS HAVE COPIES – Appearing**

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

Ashland City Police Department – Request Bridget Ann Cartier (hired October 4, 2016) be allowed to attend TLETA March 2017 POST Transition Class. Ms. Cartier graduated in 1996 from San Diego Regional 928 hour Public Safety Training Institute and worked for San Diego Sheriff Department until retiring in 2014. If approved a six month waiver will also be needed. **Appearing**

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

Brentwood Police Department – Request Labrynthias Croshaw Rowsey (hired November 28, 2016) be allowed to attend TLETA March 2017 POST Transition Class. Mr. Rowsey graduated in 2015 from Arkansas 524 hours Law Enforcement Training Academy, and worked for Searcy AR Police Department. If approved an additional 5 hours of EVO will be required.

Appearing

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

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Chattanooga Police Department – Request Amanda Michelle Lane (hired December 2, 2016) be allowed to attend their Lateral Academy beginning December 2, 2016. Ms. Lane graduated from NW Florida State College in 2012 and worked for Okaloosa County FL Sheriff Department until November 2016. If approved an additional 12 hours of EVO will be required. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Chattanooga Police Department – Request Sean Michael Lynch (hired December 2, 2016) be allowed to attend their Lateral Academy beginning December 2, 2016. Mr. Lynch graduated from NE Florida Criminal Justice Center in 2011 and worked for Okaloosa County FL Sheriff Department until November 2016. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Huntland Police Department – Request Robert Talmadge Shaw, III waiver of basic and to allow Mr. Shaw to attend the POST Transition school at TLETA. He completed basic training at the Southwest Florida Criminal Justice Academy with 706 hours on June 11, 1996. Previous law enforcement employment includes: Clewiston Police Department, Florida from February 1996 to February 1997; Hendry County Sheriff's Office, Florida from February 1997 to February 2007; Lee County Sheriff's Office, Florida from February 2007 – July 2016. Mr. Shaw began employment with the department on September 22, 2016. A waiver of the 6 month rule is requested. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Murfreesboro Police Department – Request Eric Lynn Nelson (hired September 19, 2016) be allowed to attend TLETA March 2017 POST Transition Class. Mr. Nelson graduated New York City 649 hour Police Academy in 2013. If approved an additional 19 hours of EVO will be required as well as a 6 month waiver. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Rutherford County Sheriff's Office – Request Hector Allen Padgham waiver of basic and to allow Mr. Padgham to attend the March 26 – April 13, 2017 transition school at TLETA. He completed basic training at the New York Public Safety Training Center, Rochester, New York on August 6, 1997 with 1,697 hours. Previous employment: Rochester New York Police Department October 7, 1996 through February 2, 2003; Greece New York Town Police Department March 3, 2003 through October 11, 2016. If approved an additional 18 hours of EVO will be required as well as a waiver of the 6 month rule. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Trousdale County Sheriff Office – Request Brian Patrick Harbaugh (hired October 19, 2016) for POST certification to be issued in lieu of attending a POST Transition School. Mr. Harbaugh has been out of a POST certified position for 5 years and 9 months, during that time he was a special agent for TBI and did take a few specialized courses, however none of the required POST courses have been determined. **Appearing**

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

December 9, 2016

Bluff City Police Department – Request Chad Tyson Bishop to be granted a waiver to attend the Spring POST Transition school at TLETA. Mr. Bishop was previously POST certified in Tennessee. He transferred from full time to part time in 2009 while at Carter County Sheriff's Office. He began full time with Bluff City Police Department on October 25, 2016. Officer Bishop has been out of full time law enforcement for 7 years, request is made for Officer Bishop to receive POST certification once he completes the transition school.

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

Lexington Police Department – (A) Request Joshua Hayes Reed (hired July 25, 2016) be allowed to attend TLETA March 2017 POST Transition Class. Mr. Reed previously worked for Henderson County Sheriff Office for 8 years resigning March 15, 2008. If approved a six month waiver will also be needed.

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

(B) The department is also asking Mr. Reed be allowed to ride solo upon completing their field training program.

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

Mason Police Department – Request Malcom Devell Terry (hired September 12, 2016) be allowed to attend TLETA March 2017 POST Transition Class. Mr. Terry graduated from Shelby County Sheriff Office 560 hour Reserve Recruit School in 2010. If approved a six month waiver will also be needed.

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

WAIVER TO ATTEND ANOTHER ACADEMY - POST Rule 1110-02-.03(3)

Smyrna Police Department – Request Arthur Frank Williams (hired September 26, 2016) be allowed to attend TLETA Basic Training in 2017. Mr. Williams previously attended MNPB Basic Academy January 2016 before being injured and asked to resign. He also attended TLETA Basic Training for TBI in fall 2013 before being asked and agreeing to resign. If approved a six month waiver will also be needed.

Appearing

Motion to Approve/Disapprove by: _____ Second _____

Remarks: _____

POST Investigators have reviewed and approved **44** applications for Specialized Training Substitution, and they appear to meet the guidelines set forth in POST Rule 1110-04-9. T.C.A. mandated Child Sexual Abuse, EVOC, Mental Illness, and Firearms qualifications must be completed and documented to complete requirements for In-service training, if not included in the curriculum of these courses.

Remarks: _____

Remarks: _____

Remarks: _____

Remarks: _____

Remarks: _____

CURRICULUM AND TESTS – 1110-04 & SPECIALIZED TRAINING CURRICULUM – 1110-04-.09

POST Investigators have reviewed and approved 53 in-service and specialized training classes this month as they appear to be in order and meet or exceed minimum standards set forth by the Peace Officers Standards and Training requirements. They have made note if these training offerings meet the POST requirements for Firearms, EVOC, Mental Illness and CSA.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

NEW BUSINESS/ITEMS FOR DISCUSSION

Blount County Sheriff Office – Request their Annual Report for 2016 be approved.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Metro Nashville Police Academy – Request a waiver of maximum students allowed from 75 to 80 for calendar year 2017.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Tennessee State University PD – Request the POST commission to consider the recertification of Mr. Tommie Phelps.

Appearing

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

WAIVERS OF SIX (6) MONTH RULE:

The following departments are requesting a waiver of the six month rule to keep their officer(s) and the departments in compliance.

Brownsville Police Department – Request six month waivers for the following officers who are attending TLETA in January 2017.

Daniel Wallace	Hired August 18, 2016
Eugene Wardford	Hired September 1, 2016

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Dickson Police Department - Request a six month waiver for Mason Cody DeLoach (hired October 31, 2016) who is attending first available basic class at TLETA in 2017.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Jackson County Sheriff Office – Request a six month waiver for Jimmy Russell Sizemore (hired September 21, 2016) who is attending first available basic class at TLETA in 2017.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

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Pellissippi State PD – Request a six month waiver for Tony Eugene Moore (hired May 23, 2016) he graduated Cleveland State on November 30, 2016.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Pickett County Sheriff Office – Request 2 six month waivers for Nathon Eric Rigney (hired March 31, 2016) who is attending the January 2017 basic class at TLETA. They were unable to get him in the TLETA October 2016 class due to an oversight.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Robertson County Sheriff Office – Request six month waiver for Clayton Wesley Key (hired September 24, 2016) who is attending the January 2017 basic class at TLETA.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Rutherford County Sheriff Office – Request six month waivers for the following officers who will be attending the first available basic classes at TLETA.

Thomas Jerry Hinson	Hired 10/10/2016
Brian Michael Gonzales	Hired 10/10/2016
Gary Eugene Herron	Hired 10/10/2016
Gary Neal Manley Jr.	Hired 10/10/2016
Denise Evelyn Smith	Hired 10/10/2016
Zacariah William Wooten	Hired 10/10/2016

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Spring Hill Police Department – Request a six month waiver for Justin Trevor Bowling (hired September 12, 2016) who is attending the January 2017 basic class at TLETA.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Washington County Sheriff Office – Request a six month waiver for Sylvoski Bogus (hired November 14, 2016) who is attending TLETA April 2017.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

December 9, 2016

WAIVER OF IN-SERVICE – RULE 1110-09-.05

Requests for a waiver have been received for the following officers so that they will remain in compliance with POST guidelines as well as the department.

Hamilton County Sheriff Office – Request a waiver of in-service for Henry Luken who was unable to complete in-service due to being suspended and now moved to reserve officer. POST has received correspondence from Mr. Luken's former wife in opposition to his certification.

COMMISSIONERS HAVE COPIES

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

WAIVER OF EIGHT (8) MONTH RULE:

The following officer(s) are requesting a waiver of the eight-month rule:

Covington Police Department – Request wavier so that Officer Rickey Smith will be eligible for the 2016 salary supplement. He retired on October 28, 2016, however was out on leave from July until this retirement date. Officer Smith completed the required in-service before he went out on leave.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Franklin Police Department – Request an 8 month waiver for Rebecca Porter who retired July 15, 2016 and completed her 2016 in-service training. The department requests for her to be eligible for the salary supplement.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Hamilton County Sheriff Office – Request Deputy Dale Allen Lockhart a waiver of the 8 month rule. Deputy Lockhart resigned on February 22, 2016 and was rehired on June 28, 2016, lacking the total of 8 months as required. He completed the required in-service therefore the department is requesting Deputy Lockhart to be eligible for the 2016 salary supplement.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Hamilton County Sheriff Office – Request Deputy David McCann a waiver of the 8 month rule. Deputy McCann was on medical leave from January through August 30, 2016 due to an on duty injury. Complications occurred and went back on leave September 24, 2016 after completing the required in-service. The department is requesting Deputy McCann a waiver so that he may receive the 2016 salary supplement.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Hendersonville Police Department – Request an 8 month waiver for James Robert Lawson Jr. who retired June 27, 2016 and did complete 2016 in-service training.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

December 9, 2016

Murfreesboro Police Department – Request 8 month waivers for the following officers.

The following four (4) did not complete in-service and will not be eligible for the 2016 salary supplement:

Amy Dean retired on 4/1/2016

Roy Fields retired 2/10/2016

Danny Howse was injured 11/30/2015 while on duty and has been on medical leave since.

Michael Robinson has been out on medical leave due to an illness since 4/25/2016.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Rathana Sidadouangleuth was injured on 7/7/2016 while on duty and has been on medical leave since. Requesting salary supplement for 2016, he did complete the required in-service

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Washington County Sheriff Office – Request an 8 month waiver for Louis Wayne Cunningham who was on military duty January 1, 2016 – June 1, 2016. He did complete 2016 in-service training.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

WAIVERS FOR MILITARY LEAVE – RULE 1110-09-.06(5)

The following departments are requesting a waiver for military service for the 2016 calendar. Military orders are included along with change of status. These officers will be eligible to receive salary supplement.

Franklin Police Department – Request a military waiver for Chris Gentry who was on military duty for approximately 5 months in 2016.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Memphis Airport PD – Request a military waiver for Billy Roy Stubbs Jr. who has been on Army active duty since April 21, 2016.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Trousdale County Sheriff Office – Request a military waiver for Michael Shane Sexton whom is on full time National Guard duty from October 1, 2015 – September 30, 2017.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

December 9, 2016

WAIVER FOR MEDICAL – RULE 1110-09-.06

The following departments are requesting a waiver for medical reasons for the 2016 calendar. Officers did not complete in-service training and are not eligible for Salary Supplement:

Carthage Police Department – Request a medical waiver for Carl Douglas Brown who has had a leg injury and a heart issue that has kept him from completing 2016 in-service training.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Hamilton County Sheriff Office – Request a medical waiver for Marty Ray who was unable to complete 2016 in-service training due to an on-the-job injury in May 2016.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Knoxville Police Department – Request a medical waiver for Joshua R. Smith who was unable to complete in-service due to workers comp medical leave.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Memphis Airport PD – Request a medical waiver for Kenneth Turner due to his doctor orders for current medical condition he was unable to complete in-service.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Spring City Police Department – Request a medical waiver for Lesa Frady who has been on medical leave since May 26, 2016 and has been unable to complete in-service.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Waiver of Rule 1110-01-.01(20) Change in employment uncertified officer.

Hamilton County Sheriff Office – Request a waiver for Castwell Fider hired from Red Bank Police Department in October 2016 as a Reserve Officer for Hamilton County.

Motion to Approve/Disapprove by:_____Second_____

Remarks:_____

Formal Hearing

Donald Lawman – Formal hearing as requested and scheduled with Mr. Lawman.

Appearing - COMMISSIONERS HAVE COPIES